

EXHIBIT B

Ryan, Erin T. (CIV)

From: Ward, Brian C. (CIV)
Sent: Friday, September 15, 2023 9:53 AM
To: St. John, Joseph; James Percival; Anita Patel
Cc: Reuveni, Erez R. (CIV); Fudim, Elissa P. (CIV); Darrow, Joseph A. (CIV); Ryan, Erin T. (CIV)
Subject: RE: AO Rule - Deposition Notices

Hey Scott,

I don't think we have any issue with not doing depositions before 9/25, but we would like to discuss possible dates after that for these so that we know what the schedule will be and have time to make the necessary preparations in advance. Please let us know who your witnesses are and their availability the last week of September and the first few weeks of October so that we can work out a schedule.

Thanks,
Brian

From: St. John, Joseph <StJohnJ@ag.louisiana.gov>
Sent: Tuesday, September 12, 2023 5:46 PM
To: Ward, Brian C. (CIV) <Brian.C.Ward@usdoj.gov>; James Percival <James.Percival@myfloridalegal.com>; Anita Patel <Anita.Patel@myfloridalegal.com>
Cc: Reuveni, Erez R. (CIV) <Erez.R.Reuveni@usdoj.gov>; Fudim, Elissa P. (CIV) <Elissa.P.Fudim@usdoj.gov>; Darrow, Joseph A. (CIV) <Joseph.A.Darrow@usdoj.gov>; Ryan, Erin T. (CIV) <Erin.T.Ryan@usdoj.gov>
Subject: [EXTERNAL] RE: AO Rule - Deposition Notices

Brian:

I'm surprised by your email. Defendants recently asked to extend deadlines to provide "one month for expert reports, until 9/25, then a month for depositions, until 10/25." Ryan Email to St. John (Aug. 23, 2023). Defendants' filings with the court are in accord. We accordingly do not anticipate turning to deposition topics until after expert reports are complete.

Further, Defendants emailed a 30(b)(6) notice with [94 topics](#), a significant number of which are facially irrelevant. For example, Defendants identified 16 topics related to criminal conduct by aliens, despite there being a court-supervised agreement narrowing the scope of standing (and related discovery). We will provide objections in due course, with witness designations and dates coming after those issues are resolved. We note that 30(b)(6) depositions are disfavored, and we encourage you to promptly withdraw topics that are facially irrelevant and serve only to burden Plaintiffs.

Best regards,
Scott

From: Ward, Brian C. (CIV) <Brian.C.Ward@usdoj.gov>
Sent: Monday, September 11, 2023 12:49 PM
To: St. John, Joseph <StJohnJ@ag.louisiana.gov>; James Percival <James.Percival@myfloridalegal.com>; Anita Patel <Anita.Patel@myfloridalegal.com>
Cc: Reuveni, Erez R. (CIV) <Erez.R.Reuveni@usdoj.gov>; Fudim, Elissa P. (CIV) <Elissa.P.Fudim@usdoj.gov>; Darrow,

Joseph A. (CIV) <Joseph.A.Darrow@usdoj.gov>; Ryan, Erin T. (CIV) <Erin.T.Ryan@usdoj.gov>

Subject: RE: AO Rule - Deposition Notices

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Hey Scott and Jimmy,

Following up on the email below from Erin. Can you let us know who you are designating as witnesses for each agency and their availability for depositions the rest of this month and in early October? We would like to get the dates for these set as soon as possible so that we have time to make the necessary arrangements.

Thanks,
Brian

From: Ryan, Erin T. (CIV) <Erin.T.Ryan@usdoj.gov>

Sent: Friday, August 18, 2023 4:18 PM

To: St. John, Joseph <StJohnJ@ag.louisiana.gov>; James Percival <James.Percival@myfloridalegal.com>; Anita Patel <Anita.Patel@myfloridalegal.com>

Cc: Ward, Brian C. (CIV) <Brian.C.Ward@usdoj.gov>; Reuveni, Erez R. (CIV) <Erez.R.Reuveni@usdoj.gov>; Fudim, Elissa P. (CIV) <Elissa.P.Fudim@usdoj.gov>

Subject: AO Rule - Deposition Notices

Hi Scott and Jimmy,

Attached, please find 30(b)(6) deposition notices for the State of Louisiana and some of its agencies. A few notes: as there has been some confusion and disagreement in the past about the relationship between the state and its agencies, we included the same topics from the agency notices in the notice of the state of Louisiana. If the standalone notices for the agency are preferred, we can amend the notice to the state to remove those duplicate topics. We just included them in this format to cover both bases, but are open to discussing which way will be best for you to reach out to the agencies regarding witnesses.

We also include a notice for Louisiana's Department of Public Safety and Corrections to the extent those are injuries you are still planning to rely on to show standing. From some of your previous emails, you seemed to indicate that standing would be based on the Departments of Health, Education, and Children and Families, but the second amended complaint still contains a number of allegations related to public safety and corrections. If Louisiana is withdrawing their reliance on standing based on those injuries, we can withdraw the deposition notice.

We also left the deposition dates blank so we can find mutually agreeable dates that work for all counsel and your witnesses. We understand you will need time to talk with the agencies, determine who they are designating, and then check their schedules before you can agree to specific dates, so we are open to discussing dates once you have done that. However, to facilitate that, we will need to get an extension of the discovery deadline. Please let us know early next week how much time you think you will need to do all that, and a rough estimate of when you think we can schedule the depositions for, so we can determine the length of the extension we need. Off the top of my head, I assume we're talking about at least 2-3 months, but please let us know.

Finally, these notices are currently only for Louisiana. We understand there will be arguments made as to Florida's standing as well, and we are still evaluating whether we need depositions of Florida witnesses as well. We will let you know within the next week or two.

Thanks,

Erin Ryan

Trial Attorney

U.S. Department of Justice – Civil Division

Office of Immigration Litigation – District Courts Section

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